

# SENATE BILL 421

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SB 259/08 – EHE

1lr1709

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By: **Senators Edwards and Middleton**  
Introduced and read first time: February 4, 2011  
Assigned to: Education, Health, and Environmental Affairs

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Committee Report: Favorable with amendments  
Senate action: Adopted  
Read second time: March 8, 2011

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Program Open Space – Attainment of Acquisition Goals – Increased**  
3 **Allocation for Local Government**

4 FOR the purpose of altering the amount a local government can spend on development  
5 projects after it has attained its acquisition goals under Program Open Space;  
6 repealing a certain limitation on the use of certain funds; providing for the  
7 termination of this Act; and generally relating to the apportionment of local  
8 government funds for Program Open Space.

9 BY repealing and reenacting, with amendments,  
10 Article – Natural Resources  
11 Section 5–905(c)(1)  
12 Annotated Code of Maryland  
13 (2005 Replacement Volume and 2010 Supplement)

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
15 MARYLAND, That the Laws of Maryland read as follows:

16 **Article – Natural Resources**

17 5–905.

18 (c) (1) (i) One half of any local governing body’s annual apportionment  
19 shall be used for acquisition or development projects provided that up to 20 percent of

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 the funds authorized for acquisition or development projects under this subparagraph  
2 may be used for capital renewal as defined in § 5–901 of this subtitle.

3 (ii) If the Department and the Department of Planning certify  
4 that acquisition goals set forth in the current, approved local land preservation and  
5 recreation plan have been met and that such acreage attainment equals or exceeds the  
6 minimum recommended acreage goals developed for that jurisdiction under the  
7 Maryland Land Preservation and Recreation Plan, a local governing body may use up  
8 to [75] 100 percent of its future annual apportionment for development projects [for a  
9 period of 5 years after attainment], provided that up to 20 percent of the funds  
10 authorized for use for development projects under this subparagraph may be used for  
11 capital renewal.

12 (iii) If a county determines that it qualifies for the additional  
13 funds for development and capital renewal projects under subparagraph (ii) of this  
14 paragraph, before the due date for all local governing bodies to submit revised local  
15 land preservation and recreation plans, that county may submit an interim local land  
16 preservation and recreation plan:

17 1. Prior to the submission under subsection (b)(2) of this  
18 section; and

19 2. In addition to the submission required under  
20 subsection (b)(2).

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
22 June 1, 2011. It shall remain effective for a period of 3 years and, at the end of May 31,  
23 2014, with no further action required by the General Assembly, this Act shall be  
24 abrogated and of no further force and effect.

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.